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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

AUG - 2 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of:)
Federal-State Joint Board)
on Universal Service)

CC Docket No. 96-45

DOCKET FILE COPY ORIGINAL

FURTHER COMMENTS OF THE
NATIONAL EMERGENCY NUMBER ASSOCIATION

The National Emergency Number Association ("NENA") hereby responds to the Common Carrier Bureau's invitation to file further comments in the captioned proceeding. (DA 96-1078, July 3, 1996) NENA submitted Comments and Reply Comments earlier. Its Further Comments are limited to the "Definitions Issues" 1-5 found at Attachment I to the Public Notice of July 3rd.

Questions 1-3 ask in several ways about affordability of "current rates for services included within the definition of universal service." (Question 1) In the case of 9-1-1 and E9-1-1 emergency calling services, to the extent rates and charges can be distinguished from local service charges, they are of two types: (a) surcharges or special assessments paid by all telephone subscribers to fund and/or maintain the 9-1-1 systems; (b) rates paid by Public Safety Answering Points ("PSAPs") for the tariffed or contracted services of telephone carriers.¹

Some idea of the scope and variety of surcharges and assessments for 9-1-1 can be gleaned from the Attachment, although the data is nearly a year old. This information was placed on the record of CC Docket 94-102 October 11, 1995, and is resubmitted here for whatever edification it may

¹ In the present state of development, this chiefly means wireline carriers, although several states and localities apply surcharges on cellular subscribers; and some cellular carriers provide services to PSAPs.

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provide. In the description captioned "National 9-1-1 Status," the typical use of state or local legislation as the foundation for emergency calling implementation implies affordability through political accountability. On the local level, whether to establish 9-1-1 frequently is put directly to voters.

Nevertheless, the affordability criterion cannot be reduced to a single number. Looking at the Local Funding and State Funding columns of the table headed "National 9-1-1 Funding and Coverage," single or combined surcharges range from 24 cents to \$2.00. At the upper limits, subscriber assessments appear to be constrained by low population. In the words of the national status report: "In less populated areas of each state, however, monthly fees are generally not sufficient to cover even basic 9-1-1 costs." Some states address this through regionalizing to spread costs.

As to the charges paid by PSAPs, in the case of wireline telephone carriers these are presumably subject to the surveillance of state regulatory bodies. While this state oversight is not present for wireless carrier rates, as radio services evolve from cellular duopolies to multiple providers, increased competition should substitute for regulatory controls.

However variously these considerations may play out across the country, NENA is aware of no case in which E9-1-1, once adopted, has been removed or shut down for any reason. It is also true, on the other hand, that some 10% of telephone lines remain unserved by basic 9-1-1, and that 15% of the lines having 9-1-1 service enjoy no enhancements such as automatic number identification (ANI), automatic location information (ALI) or selective routing.² In terms of land area covered by 9-1-1, the gaps are even greater.

² Report and Order and Further Notice of Proposed Rulemaking, CC Docket 94-102, FCC 96-264, released July 26, 1996, ¶5.

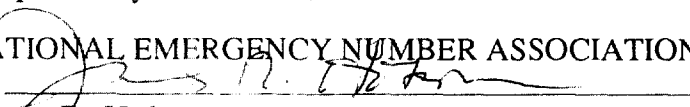
On the assumption that the absence of 9-1-1 from some thinly-populated and dispersed communities may be at least partly attributable to costs of implementation, NENA believes this to be added reason for establishing both 9-1-1 and E9-1-1 as core components of universal service whose providers would be eligible for special compensation if 9-1-1 is available in their exchanges.

With respect to Question 4, if the "infeasibility" is truly technical and not, at bottom, economic, it should be possible to grant waivers so that a carrier's failure to offer the infeasible service would not make it ineligible for universal service support in its other core offerings. In the case of 9-1-1 service, infeasibility could also arise from political determinations that emergency calling systems are not needed or wanted. But 9-1-1 would not then be considered a core service in that area.

As to Question 5, the costs of providing 9-1-1 have been subject to scrutiny in negotiations between incumbent telephone service providers and their emerging local exchange competitors -- in states where competitors have been certified. To NENA's knowledge, 9-1-1 charges rarely, if ever, have been the cause of breakdown in negotiations. To the contrary, incumbents and competitors -- subject to state orders requiring 9-1-1 service of new entrants -- appear to be reaching consensus more often than not in this aspect of their interconnection agreements.

Respectfully submitted,

NATIONAL EMERGENCY NUMBER ASSOCIATION

By 

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August 2, 1996

ITS ATTORNEY

ATTACHMENT

NATIONAL 9-1-1 STATUS**9-1-1 FUNDING NATIONALLY**

There is no national funding of 9-1-1, although several states, including Minnesota, took advantage of federal matching funds to help pay for implementation of the service. The attached table shows whether legislation is in place in each state, whether it was mandated, the type of funding used, and whether a telephone company is authorized to retain part of fees collected to pay their cost of collection. Each state funds for 9-1-1 in their own unique manner, but some similarities can be seen in figure 1.

Eight states (16% of the states) fund 9-1-1 by paying for all or part of the service through a

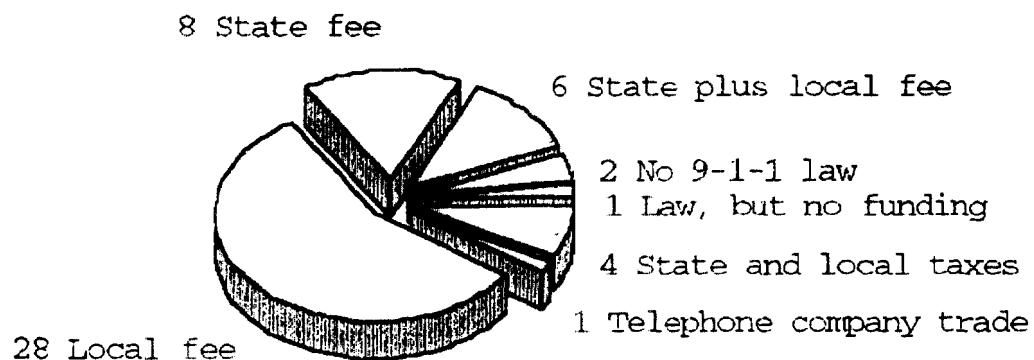


Figure 1 Most states fund 9-1-1 by allowing a locally collected telephone fee.

statewide 9-1-1 telephone surcharge. This serves to spread the cost of 9-1-1 across the entire state, making it affordable to even the smallest local unit of government. The statewide fees also serve to fund state level activities to help counties implement 9-1-1 and administer the program. The potential disadvantage to this method of funding 9-1-1 is that it may not provide funding for local government costs, possibly inhibiting 9-1-1 improvements in rural areas. Most other states fund 9-1-1 services from local telephone fees. Twenty-eight of the 50 states (56%) authorize local units of government to assess a fee on each telephone subscriber. This method of funding has advantages in large populated areas, where a locally collected monthly fee may allow funding of all direct costs, and, often, personnel, training, and other expenses as well. In less populated areas of each state, however, monthly fees are generally not sufficient to cover even basic 9-1-1 costs. Six states (12%) use a combination of state and local fees, allowing local funding as well as money to fund a statewide program and to help fund 9-1-1 for counties and cities which do not have a large enough population to cover the cost of 9-1-1 by themselves. Four states (8%) fund 9-1-1 through state or local

taxes, one state (2%) funds 9-1-1 through telephone company subsidization, and three states (6%) have no funding mechanism in place. Minnesota and Mississippi recently changed their 9-1-1 laws to specifically require cellular subscribers to pay 9-1-1 fees just like wire-line telephone subscribers. This innovation may help fund the development of needed improvements to cellular 9-1-1 systems.

NATIONAL 9-1-1 COVERAGE

Figure 2 is a map which indicates the estimated percentage of population coverage in the United States, and can be compared to an estimated national 9-1-1 coverage of 85%. Generally speaking, those states which mandated 9-1-1 coverage and/or provided for equitable funding of 9-1-1 implementation and improvements have achieved more coverage than other states. Eleven states enjoy statewide 9-1-1 service.

Several states, including California and Connecticut, have achieved statewide enhanced 9-1-1, and telephone company and government officials in California are working to redefine enhanced 9-1-1 to include better geo-location information (latitude, longitude, and elevation in addition to street address). These developments, can be viewed as necessary steps to help government deal with emerging technological changes and high customer expectations placed on 9-1-1 systems.

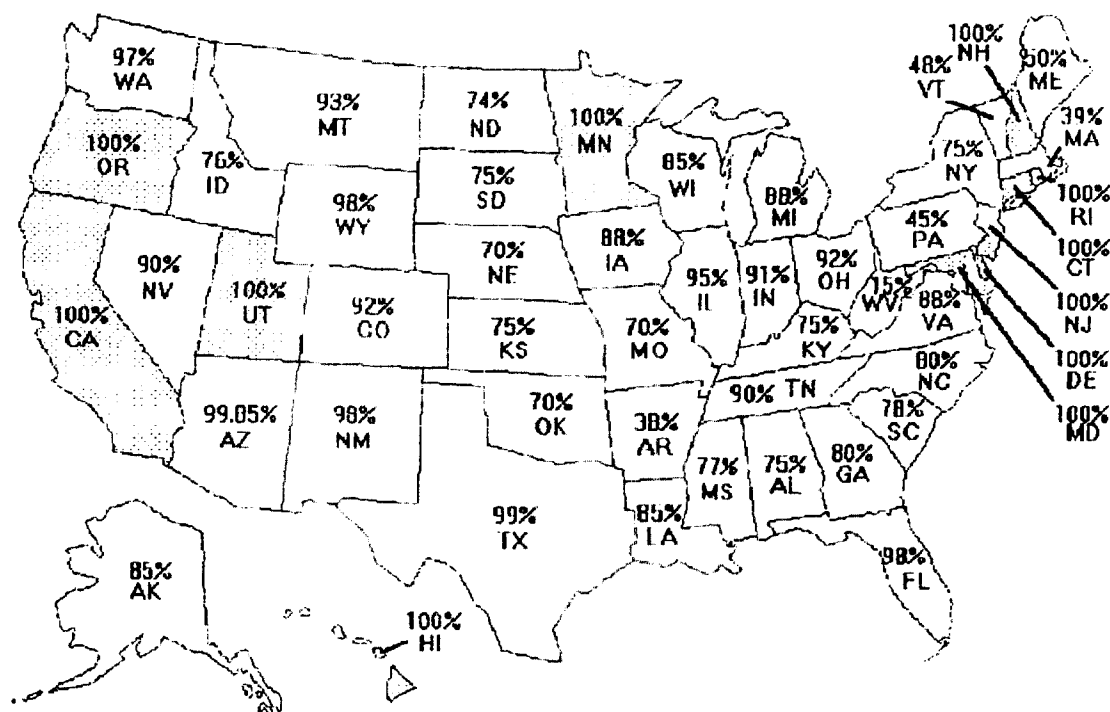


Figure 2 Eleven states have achieved statewide 9-1-1.

NATIONAL 9-1-1 FUNDING AND COVERAGE

October 6, 1995

STATE	COV- ER- AGE	LEG- ISLA- TION	9-1-1 MAN- DATE	LOCAL FUNDING	STATE FUNDING	NOTES	TELCO REIMBU- RSEMENT
ALABAMA	75%	9-1-1		5%			1%
ALASKA	85%	ENHAN		\$.50/.75			\$150/1%
ARIZONA	.998	9-1-1			1.25%		
ARKANSAS	38%	9-1-1		5%			1%
CALIFORNIA	100%	ENHAN	12/85		.69% OF	INTRA-STATE	
COLORADO	92%	9-1-1		2%			2%
CONNECTICUT	100%	ENHAN	12/89		GEN FUND	& PRO RATA	
DELAWARE	100%	ENHAN	01/89			100% ENH	
FLORIDA	.981	9-1-1		\$.50			1%
GEORGIA	80%	9-1-1		PRO RATA		\$ FOR ENH	
HAWAII	100%	9-1-1			FEES		
IDAHO	76%	9-1-1		\$1.00			3/4%
ILLINOIS	96%	9-1-1		FEE			3%
INDIANA	91%	METRO	ENHAN	3% / 10%		>/< 35,000	
IOWA	88%	ENHAN		\$1.00		E911 PLANNG	1%
KANSAS	75%	9-1-1		2%			2%
KENTUCKY	75%	9-1-1		FEE			
LOUISIANA	85%	9-1-1		5%			1%
MAINE	50%	ENHAN	07/93		BONDING	\$3.5M START	
MARYLAND	100%	ENHAN	07/95	\$.50	\$.10		1.5%
MASSACHUSETTS	39%		ENHAN			411 \$ SWAP	
MICHIGAN	88%	9-1-1		4% / 16%		INSTL/RECUR	YES
MINNESOTA	100%	9-1-1	12/86	\$.10	\$.14	+WIRELESS	
MISSISSIPPI	77%	9-1-1	12/95	\$1 TO \$2		+WIRELESS	1%
MISSOURI	90%	9-1-1		\$.75 OR		UP TO 15%	2%
MONTANA	93%	9-1-1			\$.25	> 1%/COUNTY	YES
NEBRASKA	70%						
NEVADA	90%	METRO	METRO	PROP TAX			
NEW HAMPSHIRE	100%	ENHAN			\$.39		
NEW JERSEY	100%	ENHAN	1/92		GEN FUND		
NEW MEXICO	98%	ENHAN		NTE \$.25	\$.25	+8M REFUND	\$50/1%
NEW YORK	75%	ENHAN		NTE \$.35			2%
NORTH CAROLINA	80%	ENHAN		FEE			
NORTH DAKOTA	74%	9-1-1		\$1.00			5-CENT
OHIO	92%	9-1-1		PRO RATA	STARTUP*	*TAX CREDIT	
OKLAHOMA	70%	9-1-1		5%/3%		YR 1/AFTER	3%
OREGON	100%	ENHAN	01/91		5%	>.06%/CNTY	YES
PENNSYLVANIA	45%	9-1-1			\$1-1.50		
RHODE ISLAND	100%	9-1-1			\$.47		
SOUTH CAROLINA	78%	9-1-1		\$.75-1.5		VARIES	2%
SOUTH DAKOTA	75%	9-1-1		\$.75	\$.01	\$.50 (EAS)	1%/\$100
TENNESSEE	92%	9-1-1		NTE 5%			3%
TEXAS	99%	ENHAN	9/95	\$.50+	.029% LD	REGIONAL+	2%
UTAH	100%	9-1-1		NTE \$.50			
VERMONT	48%	STUDY				FEASIBILITY	
VIRGINIA	88%	ENHAN		FEE			3%
WASHINGTON	97%	ENHAN	12/98	\$.50	\$.20	+WIRELESS	YES
WEST VIRGINIA	15%	ENHAN		\$1.50		CHARLESTON	YES
WISCONSIN	85%	9-1-1		\$.40		\$.25 MILW	
WYOMING	98%	9-1-1		NTE \$.50			1%

**STATE-BY-STATE --1 LEGISLATION
INCLUDING KNOWN CITATIONS**

October 6, 1995

UPDATES? --- CONTACT JIM BEUTELSPACHER (612-296-7104)

STATE	COUNTY/ CITY USER FEE	STATE FUNDING OR FEE	NOTES	TELCO COLLECT COSTS	CITATION	STATE CONTACT	NUMBER
ALABAMA	5%			1%	11-98-1	LEE HELMS	205-834-1375
ALASKA	\$.50/.75			\$150/1%	1993 SENATE BILL 97		
ARIZONA		1.25%			SS 41-702	OLGA SOTO	602-542-0911
ARKANSAS	5%			1%	12-10-301		
CALIFORNIA		.69% OF	INTRA-STATE		53100	LEAH SENITTE	916-657-9911
COLORADO	2%			2%	29-11-101 TO 103 AND PUC RULES		
CONNECTICUT		GEN FUND	& PRO RATA		PUBLIC ACT NUMBER 84-416	GEORGE POHORILAK	203-565-3243
DELAWARE			100% ENH		7401 A	HOWARD E VOGELIEN	302-739-9693
FLORIDA	\$.50			1%	365.171 SS 13 & 14. SB-396 EXTENDED LAW	JIM MARTIN	904-487-2000
GEORGIA	PRO RATA		\$ FOR ENH		46-5-120 - 132	SID FLYNT	404-656-2319
HAWAII		FEES			321-221		
IDAHO	\$1.00			3/4%	31-4801 - 4811		
ILLINOIS	FEE			3%	CHAPTER 134.31 134 46	JOHN J. GREENAN II	217-782-4911
INDIANA	3% / 10%		>/< 35,000		36-8-16 1		
IOWA	\$1.00		E911 PLANNING	1%	SEC 477B.1 - 47 A SEC 613A 4 4/89	DAVE MILLER	319-281-7034
KANSAS	2%			2%	12-5301 - 12-5304		
KENTUCKY	FEE				KRS 65.760, 2/86		
LOUISIANA	5%			1%	R.S. 33:9101-9106. HB-785 9/9/88		
MAINE		BONDING	\$5.5M START		CH 352. 2921 (STUDY 9 1-1)	PAUL PLAISTED	207-624-7062
MARYLAND	\$.50	\$.10		1.5%	APT 41. SEC 204H-1 204H 7	MARILYN FARNDON	410-764-4009
MASSACHUSETTS			411 \$ SWAP		6A #18-18F, 159 #19-19A, 166, 114A & 15E	GLENN ROACH	617-272-1911
MICHIGAN	4% / 16%		INSTL/RECUR	YES	PUBLIC ACT 32. 3/16/86 - THRU MARCH '98	MARILYN MOORE	517-324-6380
MINNESOTA		\$.14	RECURRING \$		MS 403.1 THRU 403.13	JIM BEUTELSPACHER	612-296-7104
MISSISSIPPI	\$1 TO \$2		INCL MOBILE	1%	19-5-301 THROUGH 19-5-317		
MISSOURI	\$.75 OR		UP TO 15%	2%	190.300-190.320 (1990)		
MONTANA		\$.25	> 1%/COUNTY	YES	10-4-101-MCA	LARRY PETERSON	406-444-2586
NEVADA	PROP TAX				CH 244A. 268. 354.59805. 377.057		
NEW JERSEY		GEN FUND			52:176-36	BOB MILLER	609-882-2000
NEW MEXICO	NTE \$.23	\$.25	*8M REFUND	\$50/1%	63-9D 6	BOB GUNTER	505-827-4950
NEW YORK	NTE \$.35			2%	A. 6 S 300-308		
NORTH CAROLINA	FEE				62A-1		
NORTH DAKOTA	\$.50			YES	57-40.6-01	LYLE GALLAGHER	701-224-2127
OHIO	PRO RATA	STARTUP*	*TAX CREDIT		4931.40 - .50 & .90, 5705.19, 5727.39		
OKLAHOMA	5%/3%		YR 1/AFTER	3%	SEC 2811 TO 19 OF TITLE 63, CH 58 S 2801		
OREGON		5%	>.06%/CNTY	YES	ORS 401.710 TO 401.790 THROUGH 1/1/2000	DAVID YANDELL	503-378-2911
PENNSYLVANIA		\$1-1.50			CH 38 S. 7001		
RHODE ISLAND			NO \$		X	ERNEST RICCI	401-274-0911
SOUTH CAROLINA	\$.75-1.5		VARIES	2%	XX	TED LIGHTLE	803-734-3807
SOUTH DAKOTA	\$.75	\$.01	\$.50 (EAS)	1%/\$100	CHAPTER 34-45-1 TO 34-45-14	TOM KURTENBACH	605-773-3231
TENNESSEE	NTE 5%			3%	7-86-101, LOCAL 9 MEMBER BOARDS		
TEXAS	\$.50+	.029% LD	REGIONAL+	2%	771.001	MARY BOYD	512-327-1911
UTAH	NTE \$.50				69-2-1		
VIRGINIA	FEE			3%	58.1-3813		
WASHINGTON	\$.50	YES		YES	HB 484, 4/24/81, ENHANCED, 1991	ROBERT OENNING	206-438-7737
WEST VIRGINIA	\$1.50		CHARLESTON	YES	24-6-1 FEE CURRENTLY \$1.50 PER LINE		
WISCONSIN	\$.40		\$.25 MILW		SS 146.70 (AFF BY 87 WISACT 27, 10/87)	JEFFREY RICHTER	608-267-9624
WYOMING	NTE \$.50			1%	16-9-101		

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of August, 1996 a copy of the foregoing FURTHER COMMENTS OF THE NATIONAL EMERGENCY NUMBER ASSOCIATION was served via regular first class mail upon all members of the Federal-State Joint Board and upon the following recipients:

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